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STATE FOR R/MR, I/PP, WHA/BSC, WHA/PDA, INR/IAA, PM, INL STATE FOR  
INR/R/MR

E.O. 12958: N/A

TAGS: [KMDR](#) [KPAO](#) [OPRC](#) [CI](#)

SUBJECT: MEDIA REACTION - INTERNATIONAL CRIMINAL COURT (ICC)

11. On January 17, conservative, influential newspaper-of-record "El Mercurio" (circ. 129,000) carried an editorial entitled "Uncertainty Over ICC Vote." Quote:

"The constitutional reform that would allow the Chilean State to acknowledge the International Criminal Court's jurisdiction faces new obstacles.... The Alliance (opposition) has stated that under current conditions it would not ratify the reform, while pro-government senators have also expressed reservations. Thus, the Executive has resolved to postpone the vote until March.... Chile's ratification of the ICC would involve costs, and, on the other hand, the benefits are not yet evident.... Although judicially weak, the ICC opens the way for an activism that, beyond pursuing general interests, would focus on political objectives.... To Chile, the direct costs would originate in the programs that the U.S. would suspend if (Chile) does not grant safeguards (to U.S troops and citizens.) The U.S. stance is arguable but understandable and should not be dismissed without further analysis. Since the mid 80s -and previously very selectively - that country has led a special effort to promote democracy and protect individual freedoms in nations where these are not present. In a number of occasions it has made mistakes, such as Iraq, but it cannot be forgotten that many other countries have done little to promote those institutions.

All of these considerations should be taken into account in the debate, but the reasons to make a decision that has clear costs and unclear benefits do not seem to be based on Chile's longstanding interests but rather on an arguable ideological gesture, because our independence - which has been pointed out as an argument- is not in question."

12. On January 17 conservative, independent "La Tercera" (circ. 101,000) ran an opinion piece by former Foreign Minister Ignacio Walker entitled "The Necessity of Signing on to the ICC." Quote:

"A permanent International Court crystallizes a longtime global community's aspirations and allows us to overcome the deficiencies of the legal mechanisms that exist now."

KELLY